



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Washington, D.C. 20507**

Office of  
General Counsel

September 30, 2013

Ms. Catherine O'Hagan Wolfe  
Clerk of the Court  
U.S. Court of Appeals for the Second Circuit  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

RE: *Adams v. Festival Fun Parks, LLC*, No. 13-1183

Dear Ms. Wolfe:

I am writing to advise you that as of October 1, 2013, appropriations for funding for Federal Government operations are likely to lapse. As a federal agency, EEOC is subject to the federal Antideficiency Act, which provides in part that an "officer or employee of the United States Government . . . may not . . . involve [the] government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law," 31 U.S.C. § 1341(a)(1)(B), and that the federal government "may not accept voluntary services . . . or employ personal services exceeding that authorized by law except for emergencies involving the safety of human life or the protection of property." *Id.* § 1342.

In the event of a lapse in appropriations of federal government funding, the Antideficiency Act will prohibit EEOC lawyers from engaging in litigation activities. EEOC lawyers will be barred from communicating with the courts on any EEOC matter until funding is restored.

If there are any case developments during the course of the shutdown, please notify General Counsel P. David Lopez at [patrick.lopez@eeoc.gov](mailto:patrick.lopez@eeoc.gov) or 602-689-7846. If you cannot reach him, you may contact Acting Associate General Counsel at [lorraine.davis@eeoc.gov](mailto:lorraine.davis@eeoc.gov) or 202-663-4735.

Thank you.

Sincerely,

/s/ Gail S. Coleman

Gail S. Coleman  
Attorney, Appellate Services